

Arguments/Remarks

A. Claims Pending

Claims 5214-5268, 5270-5272, 5276-5302, 5304-5333, 5335-5337, and 5341-5395 are pending. Claim 5371 has been amended for clarification.

B. 35 U.S.C. 112 Rejections

The Examiner rejected claims 5371-5395 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully disagrees with these rejections.

The Examiner states: “Claim 5371 is deemed indefinite insofar as it is not clear how the final step of ‘using … the blended synthesis gas as a combustion fuel for heating the formation’ relates to the previous ‘allowing heat to transfer from heaters’, ‘heating a first section of the formation’ and ‘heating a second section’ steps which require the use of ‘heaters’.”

Amended claim 5371 recites in part: “using at least a portion of the blended synthesis gas as a combustion fuel in at least one of the heaters to heat the formation.” Support for the amendment is found at least on line 23 of page 150 of Applicant’s Specification: “The produced synthesis gas may also be used as a fuel in down hole gas heaters.”

The Examiner further states: “In this regard, note also dependent claim 5382 which calls for the heater to comprise a ‘natural distributed combustor’, thus utilizing hydrocarbon or combustible material of the coal formation itself.”

Claim 5382 recites in part: “wherein at least one of the heaters comprises a natural distributor combustor.” Applicant submits that the limitations of claim 5382 are not inconsistent

with "using at least a portion of the blended synthesis gas as a combustion fuel in at least one of the heaters to heat the formation."

Applicant respectfully requests removal of the rejections of claim 5371 and the claims dependent thereon.

C. Additional Remarks

Applicant believes that all claims are in condition for allowance. Favorable reconsideration is respectfully requested.

Applicant believes that no fees are due with the filing of this document and accompanying documents. If an extension of time is required, Applicant requests the appropriate extension of time. If any fees are required, please charge those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5659-07400/EBM.

Respectfully submitted,



David W. Quimby
Reg. No. 39,338

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. Box 398
Austin, Texas 78767-0398
(512) 853-8800 (voice)
(512) 853-8801 (facsimile)

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